



UNITED STATES PATENT AND TRADEMARK OFFICE

2008. 2. 12

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,441	07/23/2003	Stein Lundby	PA693C1	9610
23696	7590	02/22/2008		
QUALCOMM INCORPORATED 5775 MOREHOUSE DR. SAN DIEGO, CA 92121			EXAMINER TSE, YOUNG TOI	
			ART UNIT 2611	PAPER NUMBER
			NOTIFICATION DATE 02/22/2008	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

us-docketing@qualcomm.com
kascanla@qualcomm.com
nanm@qualcomm.com

Office Action Summary

Application No:

10/626,441

Applicant(s)

LUNDBY ET AL.

Examiner

YOUNG T. TSE

Art Unit:

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,10-13 and 21-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-27 is/are rejected.
- 7) ☒ Claim(s) 1,3-8,10-13 and 21-23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 20080107.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on January 7, 2008 has been entered.

Specification

2. The disclosure is objected to because of the following informalities: paragraph [0075], line 7, "which the noise" should be "which removes the noise". Appropriate correction is required.

Claim Objections

Claims 1, 3-8, 10-13 and 21-27 objected to because of the following informalities:

In claim 1 (line 14), claim 8 (line 12), claim 13 (lines 13-14), and claim 24 (line 11), "the phrase "pilot signal" should be "extracted pilot signal".

In claim 3, lines 2-3, the phrase "wherein said dechannelization unit comprises:" should be deleted since "the delay element) 216 shown in Figure 6 is not part of the

dechannelization unit; line 4, "delay element" should be "a delay element"; and line 5, the phrase "by said time interval" should be deleted since "the time interval" is $\frac{1}{2}$ chip while the time interval of the delay element is one chip.

In claim 4, line 2, the word "adjustor" is misspelled; lines 3 and 4, "said first" should be "said descrambled first"; and line 4, "complex conjugate multiplier" should be "a complex conjugate multiplier".

In claim 10, lines 2 and 3, "sequence" and "said time interval" should be "sequence by a Walsh sequence generator" and "a delay element", respectively.

In claim 21, line 3, the phrase "by said fixed time interval" should be deleted.

In claim 21, line 4, "said orthogonal" should be "a delayed orthogonal".

In claim 22, line 1, "said first" should be "a delayed first".

In line 3 of both claims 23 and 27, the word "fixed" should be deleted.

In claim 25, lines 2 and 3, "sequence" and "said fixed time interval" should be "sequence by a Walsh sequence generator" and "a delay element", respectively.

In claim 25, lines 3-4, "said orthogonal" should be "a delayed orthogonal".

In claim 26, line 2, "said first" should be "a delayed first".

Claims 5-7 are objected to because they depend either directly or indirectly from the independent claim 1.

Claims 11 and 12 objected to because they depend directly from the independent claim 8.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 24-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The new claims 24-27 recite a computer program product comprising: a computer-readable medium comprising code for causing at least one computer for performing the steps raise the matter of new matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Although the specification described that the microprocessor 130 shown in Figure 4 in the receiver could be used to determine the shape of the fat path and would be adjust the values of delay elements in accordance with the shape of the path grouping. See paragraph [0069]. The specification fails to describe what is the computer program product comprising: a computer-readable medium comprising code for causing at least one computer for performing the steps as recited in new claims 24-27.

Allowable Subject Matter

5. Claims 1, 3-8, 10-13 and 21-23 would be allowable if rewritten or amended to overcome the objection(s) set forth in this Office action.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Odenwalder relates to a method and apparatus for high data rate CDMA wireless communication.

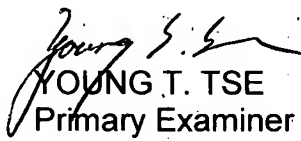
Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOUNG T. TSE whose telephone number is (571) 272-3051. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad H. Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:
10/626,441
Art Unit: 2611

Page 6

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


YOUNG T. TSE
Primary Examiner
Art Unit 2611